

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

PFIZER INC., a Delaware corporation, )  
PFIZER IRELAND PHARMACEUTICALS, )  
an Irish partnership, and WARNER- )  
LAMBERT COMPANY, LLC, a Delaware )  
limited liability company, )

Plaintiffs, )

v. )

JOHN FITZSIMONS, an individual d/b/a )  
MEDSAVINGS.BIZ, )

Defendant. )

C.A. No. 04-1213 (JJF)

**NOTICE OF VOLUNTARY DISMISSAL**

Plaintiff instituted this action to, *inter alia*, halt the unauthorized sale of "Generic Lipitor" into the United States via the internet (DI 1). Plaintiff diligently attempted to effect service of process but its efforts were unsuccessful. The accused domain site, [www.medsavings.biz](http://www.medsavings.biz) has ceased selling pharmaceutical products. Consequently, Plaintiff Pfizer Inc, by its undersigned counsel, hereby dismisses the above-referenced action against Defendants, without prejudice, pursuant to Fed.R. Civ. P. 41(a)(1).

**Connolly Bove Lodge & Hutz LLP**

/s/ James D. Heisman

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*Attorneys for Plaintiffs*

Dated: Feb. 8, 2006

IT IS SO ORDERED this \_\_\_\_ day of February, 2006.

\_\_\_\_\_  
U.S. District Court Judge